

AMENDED IN SENATE AUGUST 17, 2016
AMENDED IN SENATE AUGUST 2, 2016
AMENDED IN SENATE JUNE 16, 2016
AMENDED IN ASSEMBLY APRIL 12, 2016
AMENDED IN ASSEMBLY MARCH 18, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2800

Introduced by Assembly Member Quirk

February 19, 2016

An act to add and repeal Section 71155 of the Public Resources Code, relating to climate change.

LEGISLATIVE COUNSEL'S DIGEST

AB 2800, as amended, Quirk. Climate change: infrastructure planning. Existing law requires the Natural Resources Agency, by July 1, 2017, and every 3 years thereafter, to update the state's climate adaptation strategy to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors.

This bill, until July 1, 2020, would require state agencies to take into account the ~~expected~~ *current and future* impacts of climate change when planning, designing, building, *operating, maintaining,* and investing in state infrastructure. The bill, by July 1, 2017, *and until July 1, 2020,* would require the agency to establish a Climate-Safe Infrastructure Working Group for the purpose of examining how to integrate scientific data concerning projected climate change impacts into state infrastructure engineering, as prescribed. The bill would

require the working group to consist of registered professional engineers with specified relevant expertise from the Department of Transportation, the Department of Water Resources, the Department of General Services, and other relevant state agencies; scientists with specified expertise from the University of California, the California State University, and other institutions; and licensed architects with specified relevant experience. The bill would require the working group, by July 1, 2018, to ~~recommend~~ *make specified recommendations* to the Legislature ~~a process for integrating scientific knowledge of projected climate change impacts into state infrastructure design and addressing information gaps in a timely manner.~~ *Legislature and the Strategic Growth Council.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The impacts of climate change are already being felt in
- 4 California and include record-breaking drought, wildfires, flooding,
- 5 sea level rise, coastal erosion, and heat waves. These impacts are
- 6 projected to worsen with a future punctuated by what are now
- 7 considered extreme weather events.
- 8 (b) As the climate warms, California will need to design and
- 9 maintain infrastructure, including, but not limited to, roads, bridges,
- 10 buildings, and water systems, to withstand increasingly severe
- 11 impacts.
- 12 (c) The scientific community is developing sound scientific
- 13 understanding of projected impacts from climate change. The
- 14 engineers responsible for overseeing, designing, and building state
- 15 infrastructure must consider the influence of climate change
- 16 impacts on siting and design standards and specifications.
- 17 (d) As California spends billions of dollars on infrastructure,
- 18 expecting it to last many decades, state engineers should be
- 19 provided with *practicable* information on projected climate change
- 20 impacts that they should consider when establishing standards and
- 21 planning and designing structures that are critical to California's
- 22 economy and public safety.

1 (e) Prolonged heat waves, extreme precipitation events, severe
2 drought, increasing wildfires, and other potentially dangerous
3 climate change impacts will require significant changes in
4 designing and building projects, such as roads, bridges, buildings,
5 and water infrastructure, and require planning for the resilience
6 and restoration of natural systems.

7 (f) There is a significant body of climate science being
8 developed and continually updated to inform decisionmakers and
9 provide guidance on the predicted impacts. Infrastructure project
10 planning and design must incorporate design standards and
11 specifications for climate change impacts.

12 (g) Due to Executive Order B-30-15, current efforts by state
13 agencies provide built-in resources, processes, and expertise that
14 can be utilized to provide coordination between scientists and those
15 responsible for designing, building, and overseeing critical state
16 infrastructure.

17 SEC. 2. Section 71155 is added to the Public Resources Code,
18 to read:

19 71155. (a) ~~State-Consistent with this part, state~~ agencies shall
20 take into account the ~~expected~~ *current and future* impacts of
21 climate change when planning, designing, building, *operating,*
22 *maintaining* and investing in state infrastructure.

23 (b) (1) By July 1, 2017, the agency shall establish a
24 Climate-Safe Infrastructure Working Group for the purpose of
25 examining how to integrate scientific data concerning projected
26 climate change impacts into state infrastructure engineering,
27 including oversight, investment, design, and construction.

28 (2) The working group shall consist of the following:

29 (A) Professional engineers registered in accordance with Chapter
30 7 (commencing with Section 6700) of Division 3 of the Business
31 and Professions Code with relevant expertise in state infrastructure
32 design from the Department of Transportation, the Department of
33 Water Resources, the Department of General Services, and other
34 relevant state agencies, as applicable.

35 (B) Scientists from the University of California, the California
36 State University, and other institutions who have expertise in
37 climate change projections and impacts across California.

38 (C) Licensed architects with relevant experience in state
39 infrastructure design, as applicable.

(3) The two groups specified in subparagraphs (A) and (B) of paragraph (2) shall be equitably represented in the membership of the working group, to the extent reasonable and appropriate.

(4) The working group shall work in coordination with other state climate adaptation planning efforts and shall consider and build upon existing information produced by the state, *including information from the most recent California Climate Change Assessment conducted pursuant to Executive Order S-3-05, the plan, and the State of California Sea-Level Rise Guidance Document completed pursuant to Executive Order S-13-08*, among other resources.

(5) *The working group shall work in coordination with other state agencies that advance sustainability in infrastructure, including the council and the Government Operations Agency.*

(c) The working group ~~may wish to~~ shall consider and ~~offer recommendations on~~ investigate, at a minimum, the following issues:

(1) The current *informational and institutional* barriers to integrating projected climate change impacts into state infrastructure design.

~~(2) The development of practicable guidelines for planning and designing infrastructure that is more resilient to the expected impacts of climate change.~~

~~(3)~~
(2) The ~~identification of gaps in the~~ critical information that engineers responsible for infrastructure design and construction need to address climate change impacts.

~~(4) Consideration of the~~
(3) *How to select an appropriate engineering design for multiple projected scenarios for future climate change: a range of future climate scenarios as related to infrastructure planning and investment.*

~~(5) Consideration of a platform or process to facilitate communication between climate scientists and infrastructure engineers.~~

(d) (1) By July 1, 2018, the working group shall ~~recommend~~ make recommendations to the Legislature ~~a process for integrating scientific knowledge of projected climate change impacts into state infrastructure design and for addressing the information gaps in a~~

1 ~~timely manner.~~ *that address the issues listed in subdivision (c),*
2 *including recommendations for all of the following:*

3 *(A) Integrating scientific knowledge of projected climate change*
4 *impacts into state infrastructure design.*

5 *(B) Addressing critical information gaps identified by the*
6 *working group.*

7 *(C) A platform or process to facilitate communication between*
8 *climate scientists and infrastructure engineers.*

9 *(2) By July 1, 2018, the recommendations submitted pursuant*
10 *to paragraph (1) also shall be submitted to the council to inform*
11 *its review, conducted pursuant to Section 75125, of the five-year*
12 *infrastructure plan developed pursuant to Article 2 (commencing*
13 *with Section 13100) of Chapter 2 of Part 3 of Division 3 of Title*
14 *2 of the Government Code.*

15 ~~(e) For the purposes of this section, “infrastructure” has the~~
16 ~~same meaning as defined in Section 13101 of the Government~~
17 ~~Code.~~

18 ~~(f)~~

19 *(e) This section shall become inoperative on July 1, 2020, and,*
20 *as of January 1, 2021, is repealed, unless a later enacted statute,*
21 *that becomes operative on or before January 1, 2021, deletes or*
22 *extends the dates on which it becomes inoperative and is repealed.*